

**Before the
Federal Communications Commission
Washington, D.C. 20554**

)	
In the Matter of)	
)	
Numbering Resource Optimization)	CC Docket No. 99-200
)	
Implementation of the Local Competition)	CC Docket No. 96-98
Provisions of the Telecommunications Act of 1996)	
)	
Telephone Number Portability)	CC Docket No. 95-116
)	

**THE NATIONAL TELECOMMUNICATIONS COOPERATIVE ASSOCIATION
INITIAL COMMENTS**

The National Telecommunications Cooperative Association (NTCA)¹ hereby files its initial comments in the above-captioned proceeding.²

On June 18, 2003, the Federal Communications Commission (Commission or FCC) released its Fourth Report and Order and Fourth Further Notice of Proposed Rulemaking (FNPRM) on local number portability (LNP) and thousand block number pooling (TBNP). In its Report and Order the Commission ruled that only carriers located in the 100 largest Metropolitan Statistical Areas (MSAs) that have received a specific request for the provision of LNP must

¹ NTCA is a non-profit corporation established in 1954 and represents 545 rate-of-return regulated rural telecommunications companies. NTCA members are full service telecommunications carriers providing local, wireless, cable, Internet, satellite and long distance services to their communities. All NTCA members are small carriers that are defined as "rural telephone companies" in the Communications Act of 1934, as amended (Act). NTCA members are dedicated to providing competitive modern telecommunications services and ensuring the economic future of their rural communities.

² *In the Matter of Numbering Resource Optimization; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996; and Telephone Number Portability*, Fourth Order in CC Docket No. 99-200 and 95-116, and Fourth Further Notice of Proposed Rulemaking in CC Docket No. 99-200, FCC 03-126, (rel. June 18, 2003)(FNPRM).

deploy local number portability in their switches.³ The Commission also delegated authority to state commissions on a case-by-case basis to require carriers operating within the largest 100 MSA's that have not received a request for LNP from another carrier to implement LNP, if the state commission finds that implementing LNP would be in the public interest.⁴

Concerning the implementation of TBNP, the Commission ruled that all carriers, except those specifically exempted, are required to participate in TBNP in accordance with the national rollout schedule, regardless of whether they are required to provide LNP, including CMRS carriers that are not required to provide LNP until November 24, 2003.⁵ Rural telephone companies and Tier III commercial mobile radio service providers that have not received a request to provide LNP are exempt from the FCC's pooling requirement.⁶ Also exempt from the pooling requirement are carriers that are the only service provider receiving numbering resources in a given rate center.⁷

The Commission seeks further comment on whether to expand the later exemption to include carriers where that are the only two service providers receiving numbering resources in the rate center.⁸ This exemption expansion request has been raised by AT&T wireless, which suggests to the Commission that if a state commission believes that significant number optimization benefits could be obtained in rate centers with only two carriers, the state commission could petition the FCC to require those carriers to participate in pooling.⁹

NTCA supports expanding the number pooling exemption from one to two carriers per

3 *Id.*, ¶ 1.

4 *Id.*, ¶ 13.

5 *Id.*, ¶ 1.

6 *Id.*, ¶ 18.

7 *Id.*, ¶ 19.

8 *Id.*, ¶ 29.

9 *Id.*, ¶ 29.

rate center. TBNP should only be in those rate centers where pooling will provide substantial numbering optimization benefits. Pooling provides significant number conservation benefits in rate centers where there are several carriers with enough numbers to donate and take from the pool. When there are not enough carriers to donate and take from the pool, the cost of pooling outweighs the benefits. It is obvious that if there is just one carrier receiving numbering resources in a rate center, pooling provides no benefit. Similarly, if there are only two carriers receiving numbering resources in a rate center, the benefits of pooling may be non-existent or insignificant. NTCA therefore recommends that in circumstances where there are only two carriers receiving numbering resources in a given rate center that the Commission exempt these carriers from TBNP, unless a state commission petitions the Commission and demonstrates that requiring these carriers to participate in TBNP is in the public interest.

Respectfully submitted,

NATIONAL TELECOMMUNICATIONS
COOPERATIVE ASSOCIATION

By: /s/ L. Marie Guillory

L. Marie Guillory

By: /s/ Daniel Mitchell
Daniel Mitchell

Its Attorneys

4121 Wilson Boulevard, 10th Floor
Arlington, VA 22203-1801
(703) 351-2000

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CERTIFICATE OF SERVICE

I, Gail Malloy, certify that a copy of the foregoing Comments of the National Telecommunications Cooperative Association in CC Docket Nos. 99-200, 96-98, 95-116, FCC 03-126 was served on this 20th day of August 2003 by first-class, U.S. Mail, postage prepaid, to the following persons.

/s/ Gail Malloy

Gail Malloy

Chairman Michael Powell
Federal Communications Commission
445 12th Street, SW, Room 8-B201
Washington, D.C. 20554

Federal Communications Commission
445 12th Street, SW, Room 8-C302
Washington, D.C. 20554

Commissioner Kathleen Q. Abernathy
Federal Communications Commission
445 12th Street, SW, Room 8-B115
Washington, D.C. 20554

Commissioner Kevin J. Martin
Federal Communications Commission
445 12th Street, SW, Room 8-A204
Washington, D.C. 20554

Commissioner Michael J. Copps
Federal Communications Commission
445 12th Street, SW, Room 8-A302
Washington, D.C. 20554

Qualex International Portals II
445 12th Street, SW
Room CY-B402
Washington, D.C. 20554

Commissioner Jonathan Adelstein